

**FEDERAL MARITIME COMMISSION**

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**DOCKET NO. 14-04**

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**EDAF ANTILLAS, INC.**

**v.**

**CROWLEY CARIBBEAN LOGISTICS, LLC;  
IFS INTERNATIONAL FORWARDING, S.L.; and  
IFS NEUTRAL MARITIME SERVICES**

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**ORDER STATING TIME FOR CROWLEY CARIBBEAN LOGISTICS, LLC,  
TO FILE MOTION FOR LEAVE TO APPEAL DENIAL OF RECONSIDERATION**

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On November 6, 2014, I entered an order granting in part and denying in part two motions to dismiss: One filed by Respondents IFS International Forwarding, S.L. (IFS) and IFS Neutral Maritime Service (Neutral) and one filed by Respondent Crowley Caribbean Logistics, LLC (CCL). *Edaf Antillas, Inc. v. Crowley Caribbean Logistics, LLC; IFS International Forwarding, S.L.; and IFS Neutral Maritime Services*, FMC No. 14-04 (ALJ Nov. 6, 2014) (Order on Motions to Dismiss). On November 21, 2014, CCL filed a motion for reconsideration of the denial of its motion to dismiss the section 10(d)(1), 46 U.S.C. § 41102(c), claims against it. On November 25, 2014, reconsideration was denied. *Edaf Antillas, Inc. v. Crowley Caribbean Logistics, LLC; IFS International Forwarding, S.L.; and IFS Neutral Maritime Services*, FMC No. 14-04 (ALJ Nov. 25, 2014) (Order on Crowley Caribbean Logistics, LLC's Motion for Reconsideration and Motion for Stay). On November 26, 2014, CCL filed a motion to determine the date to file motion for leave to appeal the denial of the motion for reconsideration. CCL states:

[a]s the ruling CCL seeks to appeal is the November 25 Order on Reconsideration, a straightforward reading of Rule 153 shows that CCL's proposed motion is due December 10, 2014.




If the presiding officer disagrees with CCL's understanding of Rule 153, CCL moves in the alternative to enlarge and set the time for filing the proposed motion [as December 15, 2014].

(Motion of [CCL] to Determine Date to File Motion for Leave to Appeal at 1-2.)

Upon consideration of CCL's Motion to Determine Date to File Motion for Leave to Appeal and the record herein, it is hereby

**ORDERED** that the time for Crowley Caribbean Logistics, LLC, to file a motion for leave to appeal the November 25, 2014, order denying its motion for reconsideration is December 10, 2014.

**THE PARTIES SHOULD NOT CONSTRUE THIS ORDER AS A STAY OF THE DEADLINES SET FORTH IN THE AUGUST 14, 2014, DISCOVERY SCHEDULE.** *Edaf Antillas, Inc. v. Crowley Caribbean Logistics, LLC; IFS International Forwarding, S.L.; and IFS Neutral Maritime Services*, FMC No. 14-04 (Aug. 14, 2014) (August 14, 2014, Discovery Schedule). Even if a party files a motion for leave to appeal and that motion is granted, "[u]nless otherwise provided, the certification of the appeal shall not operate as a stay of the proceeding before the presiding officer." 46 C.F.R. § 502.153(d).

  
Clay G. Guthridge  
Administrative Law Judge